

No new matter has been added by the above amendment. Claims 3, 5, 8 and 10-26 are now pending in the application.

REMARKS

Applicants thank the Examiner and the Examiner's supervisor for the courtesy extended Applicants' attorney during the interview held June 26, 2002, in the above-identified application. During the interview, Applicants' attorney discussed the issues raised in the Office Action with the Examiners, as well as the present invention. The discussion is summarized and expanded-upon below.

The present invention relates to a floor polishing composition for purposes of providing protection, antifouling property, gloss and the like on a floor surface, and also relates to a floor polishing film, and a method of use.

As described in the specification beginning at page 1, line 7, floor polishing compositions are widely-used to provide protection, antifouling, and gloss on floor surfaces. Recently, floor polishing compositions comprise a synthetic organic high molecular (resin) material which forms a film on the floor. However, after repeated traffic thereon, especially in commercial areas, the floor polishing film becomes soiled, damaged and loses its gloss, thus requiring maintenance of the floor. Applicants have discovered that the various and desirable film properties are improved and longer-lasting when scaly particles are included in the floor polishing composition.

As recited in Claim 3, the present invention is a floor polishing composition containing a film-formable organic resin material as the main component, which further contains at least scaly particles, wherein the scaly particles are silica corresponding to layered polysilicic acid, wherein the layered polysilicic acid is scaly silica particles having particle

structures of layered structures present independently to each other, which comprises foliar silica secondary particles wherein a plurality of flaky primary particles of scaly silica are overlaid one on another and aligned face-to-face in parallel with one another.

As recited in new Claim 21, the present invention is also a method of treating a floor comprising applying a floor polishing composition containing a film-formable organic resin material as the main component, which further contains at least scaly particles, to the floor.

The rejection of Claims 1-15 and 20 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 3, 900,438 (Zdanowski et al) in view of U.S. Patent No. 6,077,341 (Terase et al), is respectfully traversed. Zdanowski et al discloses no more than what Applicants have already acknowledged is in the prior art, as discussed above. The Examiner recognizes that Zdanowski et al do not disclose or suggest the use of scaly particles. Terase et al is drawn to a composite comprising metal oxide particulates and silica agglomerates having voids formed by random stacking of scaly silica primary particles, and metal oxide particulates supported on the surfaces, and the inner surfaces in the voids, of the silica agglomerates. See Claim 1 therein. Terase et al disclose their silica-metal oxide composite for use as an ultraviolet ray-shielding agent that may be incorporated in cosmetics, coating materials or resins (column 13, line 39, through column 14, line 8). With regard to the present composition claims, Terase et al's composite is not the same as, nor is it suggestive of, the particular layered polysilicic acid scaly particles of these claims. Nor for the method claims does Terase et al disclose or suggest a method of treating a floor comprising applying their composition to a floor. Nor, for the floor polishing film claims, do Terase et al disclose their composites in a floor polishing film.

For all the above reasons, it is respectfully requested that the rejection over Zdanowski et al in view of Terase et al be withdrawn.

The rejection of Claims 11-14 and 16-19 under 35 U.S.C. §103(a) as unpatentable over Zdanowski et al as modified by Terase et al, and further in view of U.S. Patent No. 4,363,935 (Hackett et al), is respectfully traversed. Hackett et al do not remedy the above-discussed deficiencies in the combination of Zdanowski et al and Terase et al, since Hackett et al neither disclose nor suggest the presently-recited scaly particles. Accordingly, it is respectfully requested that this rejection be withdrawn.

The rejection of Claims 1-20 under 35 U.S.C. §112, second paragraph, is respectfully traversed. As Applicants' counsel noted during the above-referenced interview, the term "film-formable organic high molecular material" is intended to be a term of art and is representative of the types of materials generally used in floor polishing compositions. A wealth of exemplary such materials are disclosed in the specification at page 9, line 1, through page 11, line 8. Nevertheless, Applicants respectfully submit that the rejection is now moot in view of the above-discussed amendment, which replaces the term "high molecular" with --resin--. With regard to Claim 11, the rejection is now also moot, since it is now clear that the scaly particles are contained within the resin material.

For all the above reasons, it is respectfully requested that this rejection be withdrawn.

During the above-referenced interview, Applicants' attorney noted that the reference designated as "AO" that was included with the Information Disclosure Statement (IDS) filed January 10, 2002, was from a European Search Report and thus, pursuant to MPEP §609, must be considered by the Examiner. **Enclosed herewith** is another copy of the Form PTO 1449 submitted therewith. The Examiner is respectfully requested to initial the appropriate box for reference AO, and include a copy thereof with the next Office communication.

All of the presently-pending claims in this application are now believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Respectfully submitted,

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IN THE CLAIMS

--Claims 1-2 (Cancelled).

3. (Amended) [The floor polishing composition according to Claim 2] A floor  
polishing composition containing a film-formable organic resin material as the main  
component, which further contains at least scaly particles, wherein the scaly particles are  
silica corresponding to layered polysilicic acid, wherein the layered polysilicic acid is scaly  
silica particles having particle structures of layered structures present independently to each  
other, which comprises foliar silica secondary particles wherein a plurality of flaky primary  
particles of scaly silica are overlaid one on another and aligned face-to-face in parallel with  
one another.

Claims 4, 6 and 7 (Cancelled).

8. (Amended) The floor polishing composition according to Claim 3, wherein the  
organic [high molecular] resin material in the floor polishing composition is an organic [high  
molecular] resin material in aqueous emulsion state.

Claim 9 (Cancelled).

10. (Amended) The floor polishing composition according to Claim 5, wherein the  
organic [high molecular] resin material in the floor polishing composition is an organic [high  
molecular] resin material in aqueous emulsion state.

11. (Amended) A floor polishing film comprising a film-formable organic [high molecular] resin material provided on a surface of a substrate, which resin material contains scaly particles.

16. (Amended) A floor polishing film according to Claim 11, wherein an overcoating layer comprising an organic [high molecular] resin material is provided on the floor polishing film.

17. (Amended) A floor polishing film according to Claim 12, wherein an overcoating layer comprising an organic [high molecular] resin material is provided on the floor polishing film.

18. (Amended) A floor polishing film according to Claim 13, wherein an overcoating layer comprising an organic [high molecular] resin material is provided on the floor polishing film.

19. (Amended) A floor polishing film according to Claim 14, wherein an overcoating layer comprising an organic [high molecular] resin material is provided on the floor polishing film.

20. (Amended) A floor polishing film according to Claim 15, wherein an overcoating layer comprising an organic [high molecular] resin material is provided on the floor polishing film.

Claims 21-26 (New).--